

REMARKS

I. Status of the Claims

Claims 1-9, 11, and 12 are pending and stand rejected. By this Amendment, Applicants amended claims 1, 9, 11, and 12 to more particularly point out and distinctly claim what Applicants regard as the invention. Claims 5 - 8 were amended to correct a formality error. Claim 10 has been cancelled without prejudice or disclaimer. Support for the amendments to claims 1, 9, 11, and 12 can be found throughout the specification, for example, in the originally-filed claims and in paragraphs [0003] - [0005] and [0014] in the U.S. Patent Application Publication 2005/0245620 ("the '620 application"). The '620 application is the U.S. patent publication of the instant application.

No new matter has been introduced. Applicants request reconsideration of the application in view of the amendments and remarks.

II. Claim Rejection Under 35 USC § 112

Claims 1-8 are rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. See Office Action at 2. In particular, the Examiner asserts that claim 1 is indefinite as to what this is to mean with respect to "reacts." *Id.* Applicants submit that the amendment to claim 1 has rendered the rejection moot by canceling the rejected language, and therefore request the withdrawal of the rejection.

III. Claim Rejections Under 35 USC § 102

A. Rejection over Madgavkar

Claims 1, 4, 5, and 9-11 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,378,048 to Madgavkar et al. ("Madgavkar") for the reasons of record. See Office Action at 2-3. Applicants reiterate the reasons for traversing the rejections set forth in the Amendment and Reply to Office Action filed on September 9, 2009. Nevertheless, Applicants amended claims 1 and 9 to further distinguish the claimed invention from Madgavkar.

Madgavkar discloses substoichiometric combustion of low heating value gases with the purpose for reducing the hydrocarbon and/or carbon monoxide level in the exhaust so that the exhaust can be vented. See Madgavkar, Abstract and col. 1, lines 25-36. Nowhere in Madgavkar, however, does it disclose or suggest that the substoichiometric combustion produces a hydrogen-containing reformat. Both claims 1 and 9, on the other hand, recite the claim limitation -- "a hydrogen-containing reformat."

For at least this reason and reasons on record, the amended claims 1 and 9, and claims dependent therefrom, are not anticipated by Madgavkar. Applicants respectfully request the withdrawal of this rejection.

B. Rejection over Le Gal

Claims 1, 3, and 5-12 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,797,737 to Le Gal et al. ("Le Gal") for the reasons of record. See Office Action at 3-4. Applicants respectfully disagree.

Le Gal discloses a catalyst combustion system that is designed to completely combust fuel while minimizing the amount of carbon monoxide or nitrogen oxides produced in the process. See Le Gal, column 1, lines 10-16. The combustion in Le Gal, however, does not produce a hydrogen-containing reformat gas, as recited in independent claims 1 and 9. For at least this reason and reasons on record, the amended claims 1 and 9, and claims dependent therefrom, are not anticipated by Le Gal. Applicants respectfully request the withdrawal of the rejections.

IV. Claim Rejections under 35 U.S.C § 103

A. Rejection over Madgavkar

Claims 2-3 and 6-8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Madgavkar. See Office Action at 6-7. However, the Examiner based the § 103 rejection on the validity of the § 102 rejection to claim 1. *Id.* at 6. As set forth in section III.A, Madgavkar fails to disclose or suggest the formation of a hydrogen-containing reformat in its combustion process. Consequently, nothing in the Madgavkar would have suggested the invention recited in independent claim 1, let alone dependent claims 2-3 and 6-8. For at least this reason, Applicants submit that claims 2-3 and 6-8 are patentable over Madgavkar.

B. Rejection over Le Gal

Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Le Gal. See Office Action at 7. The Examiner based the § 103 rejection on the premise that the § 102 rejection to claim 1 over Le Gal is valid. However, as shown in section III.B, Le Gal fails to disclose or suggest forming a hydrogen-containing reformat in the

combustion process. Consequently, claim 1 is neither anticipated nor rendered obvious by Le Gal. For at least this reason, Applicants submit that claim 2 is patentable over Le Gal.

V. Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

A handwritten signature in black ink, appearing to read 'Mark D. Sweet', written over a horizontal line.

Dated: March 18, 2009

By: _____
Mark D. Sweet
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